

CONTAINS COLOR IMAGES

Before The
Surface Transportation Board

STB Finance Docket No. 34672

UNION PACIFIC RAILROAD COMPANY
-- ACQUISITION AND OPERATION EXEMPTION --
LINE OF THE BURLINGTON NORTHERN
AND SANTA FE RAILWAY COMPANY

ENVIRONMENTAL CORRESPONDENCE

159 Bluebird Lane
Chaffee, Missouri 63740
July 28, 2006

The Honorable Vernon A. Williams
Secretary
The Surface Transportation Board
1925 K Street, N.W.
Washington, D.C 20423-0001

**Re: Notice Finance Docket No. 34672; Union Pacific Railroad Company –
Acquisition and Operation Exemption – Line of the Burlington Northern and Santa
Fe Railway Company**

Attached is a petition to the STB signed by ten individuals from six families who would be very adversely and irreparably affected if the STB approves Union Pacific's Petition for Acquisition and Operation Exemption of the line of the Burlington Northern and Santa Fe Railway Company between Rockview and Sikeston, Missouri.

The petition states: **“We, the undersigned, petition the STB to reject Union Pacific’s exemption request for acquiring the BNSF track between Rockview, Mo. and Sikeston, Mo. and for the STB to instead recommend the alternative of UP double tracking its existing route between Rockview, Mo. and Dexter, Mo. We also ask that an Environmental Impact Statement be required, not simply an Environmental Assessment. *Our only access to our homes is across a private railway crossing.* If UP’s exemption is granted, the increased traffic and resulting increased blockages of our crossings would have a detrimental effect on our safety and health, as it may result in blockage of the crossing when emergency entry or exit is needed.”**

In the filing by Union Pacific Railroad Company, Union Pacific requested that the Surface Transportation Board exempt UPRR's proposed acquisition and operation of the BNSF line from Rockview, Missouri to Sikeston, Missouri from 49 U.S.C. 11323 pursuant to 49 U.S.C. 10502. UPRR states: “Under 49 U.S.C. 10502, however, this acquisition should be exempt from regulation. UPRR's acquisition of the Line will promote several elements of the rail transportation policy of 49 U.S.C. without running afoul of any.” Later in the filing, UPRR again states that “The acquisition will promote

significant provisions of the rail transportation policy and will not run counter to any goals of this policy.”

**49 U.S.C. 10502 states “...the Board, to the maximum extent consistent with this part, shall exempt a person, class of persons, or a transaction or service whenever the Board finds that the application in whole or in part of a provision of this part -
(1) is not necessary to carry out the transportation policy of
section 10101 of this title;**

**Sec. 10101 states “Rail transportation policy
In regulating the railroad industry, it is the policy of the
United States Government –
(8) to operate transportation facilities and equipment without
detriment to the public health and safety;”**

Union Pacific Railroad Company left out of their filing application any mention of this policy 10101(8). If UPRR receives approval for this acquisition, it will be to the detriment of the public health and safety of people along the proposed acquisition.

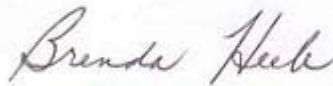
My family’s health and safety will be detrimentally affected by this acquisition. We have only one route onto our property, which is located between Chaffee, Missouri and Oran, Missouri and borders the track being proposed for acquisition. The increased train traffic would make it more likely that our private railroad crossing would be blocked should the need arise for police, ambulance, or fire emergency vehicles to access our property. We are already experiencing blockages of 45 minutes to over two hours on our only exit with just the addition of the Union Pacific coal trains that have been added to this route following the STB’s approval of FD#34513. This is unacceptable.

Five other families along this stretch of track are in the same situation of only having a single access road to their homes with that access being across the railroad tracks. Each of these families has signed the attached petition.

Attached are aerial (from Google Earth) and ground level color photos of the crossings and properties that are affected by this issue. On aerial photos the green area to the east are wooded hills, blocking exit to the east for each family. Exits to the north and south are blocked by adjacent private land ownership. This leaves the only exit for all these families to the west across the railroad tracks and then connecting to State Highway 77.

Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "Brenda Heeb". The signature is written in dark ink on a light-colored, slightly textured background.

Brenda Heeb

APPENDIX

Exhibit 1 – Petition to the STB signed by members of the Heeb, Johnson, Snider, Simpson, Vandeven, and White families

Exhibit 2 – Aerial photograph showing two private crossings – crossing #1 for Johnson and Snider families, and crossing #2 for Simpson, Vandeven, and White families

Exhibit 3 – Aerial photograph showing private crossings for Heeb family

Exhibit 4 – Ground level photo of crossing for Johnson and Snider families

Exhibit 5 – Ground level photo of crossing for Simpson, Vandeven, and White families

Exhibit 6 – Ground level photo of crossing for Heeb family

PETITION TO STB RE: FD#34672 UNION PACIFIC R.R.

Petition to Mr. W. Douglas Buttrey, Chairman, Surface Transportation Board, 1925 K Street NW, Washington, D.C. 20423 and to Section of Environmental Analysis of the STB RE: Docket #34672, Union Pacific Railroad Company – Acquisition and Operation Exemption – Line of the Burlington Northern and Santa Fe Railway Company.

We, the undersigned, petition the STB to reject Union Pacific's exemption request for acquiring the BNSF track between Rockview, Mo. and Sikeston, Mo. and for the STB to instead recommend the alternative of UP double tracking its existing route between Rockview, Mo. and Dexter, Mo. We also ask that an Environmental Impact Statement be required, not simply an Environmental Assessment. **Our only access to our homes is across a private railway crossing.** If UP's exemption is granted, the increased traffic and resulting increased blockages of our crossings would have a detrimental effect on our safety and health, as it may result in blockage of the crossing when emergency entry or exit is needed.

NAME (PRINT)	SIGNATURE	ADDRESS
Brenda Heeb	Brenda Heeb	159 Bluebird Lane Chaffee, MO 63740
Dan Heeb	Dan Heeb	159 Bluebird Lane Chaffee, MO. 63740
Erica Vandeven	Erica Vandeven	10914 Hwy 77 Chaffee MO 63740
Randal J. Vandeven	Randal J. Vandeven	10914 Hwy 77 Chaffee MO 63740
BARBARA A. SIMPSON	Barbara A. Simpson	10916 Hwy 77 Chaffee, MO. 63740
DAVID R. WHITE	Danny R. White	10912 Hwy 77 Chaffee MO. 63740
Christopher Johnson	Christopher Johnson	11014 STATE Hwy 77 Chaffee MO. 63740
Dianna Johnson	Dianna Johnson	11014 St Hwy 77 Chaffee MO 63740
JAMES E. SNIDER	James E. Snider	11012 state Hwy. 77 Chaffee, MO. 63740
Georgia L. Snider	Georgia L. Snider	11012 St-Hwy-77 Chaffee mo. 63740
Georgia L.	Georgia L. Snider	

EXHIBIT 2



Pointer 37°09'07.73" N 89°40'25.28" W elev 328 ft

Streaming 100%

Eye alt 3278 ft

EXHIBIT 3



Point: 37°07'34.37" N 89°40'35.28" W elev 333 ft

CROSSING



© 2006 Navteq

Streaming 100%

Eye alt 1847 ft

© 2005
Google



EXHIBIT 5



